

# Wetlands Bureau Decision Report

Decisions Taken  
10/10/2011 to 10/16/2011

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2011-01069                      FORTUNA NORTH LLC**  
**DOVER   Unnamed Wetland**

### Requested Action:

Dredge, fill, and relocate a total of 28,000 square feet of previously disturbed wet meadow agricultural ditches for construction of a medical facility on an existing commercial lot.

Approve as mitigation removal of 3,700 square feet of stone and restoration of tidal mudflat habitat and shoreline on approximately 300 linear feet of the Cocheco River.

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### APPROVE PERMIT:

Dredge, fill, and relocate a total of 28,000 square feet of previously disturbed wet meadow agricultural ditches for construction of a medical facility on an existing commercial lot.

Approve as mitigation removal of 3,700 square feet of stone and restoration of tidal mudflat habitat and shoreline on approximately 300 linear feet of the Cocheco River.

### With Conditions:

1. All work shall be in accordance with revised plans by Trittech Engineering dated 8/25/2011, as received by the NH Department of Environmental Services (DES) on 8/26/2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The permittee shall coordinate with the NH Natural Heritage Inventory ("NHB") staff immediately upon issuance of the permit, to develop and execute a plan to achieve perpetuation of the pale green orchid population in the contiguous orchid habitat area that extends onto the adjacent property also owned by the permittee.
4. The permittee shall coordinate with NHB staff immediately upon issuance of the permit, to schedule a site visit to collect any possible seeds present prior to site activity.
5. Substantial and strongly visible protective fencing shall be installed around the location where pale green orchid clusters were previously mapped as occurring in 2007.
6. The permittee shall coordinate with NHB staff scheduling of a site visit for July of 2012 to monitor the fenced off population area.
7. If efforts to perpetuate the orchid population into the habitat on the adjacent property are successful, then the permittee shall coordinate with the NHB to determine permanent protections for that area.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Silt fencing must be removed once the area is stabilized.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

### Wetland Restoration:

1. This permit is contingent upon the removal of stone and restoration of 3,700 sq. ft. of tidal wetlands and tidal shoreline along approximately 300 linear feet of the Cocheco River, in accordance with plans by Appledore Engineering received by DES on 10/7/2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and

authorized by the Wetlands Bureau.

4. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
5. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to ensure the success of the restoration goal. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth.
6. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
7. The permittee shall notify DES and the local conservation commission in writing of their intention to commence restoration work no less than 5 business days prior to construction.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.
12. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
13. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary.
14. A report, including narrative and photodocumentation, outlining the status of the restoration and follow-up measures needed, if any, shall be submitted by December 1 of that year.
15. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
16. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland restoration site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
17. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

#### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of non-tidal wetlands in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. It is not possible to develop the property, a commercial lot with remnant wet meadow agricultural ditches, without impacting several of the wetland ditch fingers.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The primary ditch, which functions as an intermittent stream, is being relocated on the property and will continue to function.
4. In compensation for unavoidable impacts, pursuant to Env-Wt 302.03, the applicant has proposed to restore a tidal mudflat area and tidal shoreline in the same watershed as the proposed impacts. The mitigation proposal meets the criteria for an acceptable alternative compensatory mitigation proposal pursuant to Env-Wt 803.06, due to the high value of tidal resources to be restored; the presence of an exemplary natural community and the presence of three threatened plant species at the restoration site.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. Clusters of the state-endangered Pale Green Orchid were mapped in 2007 as occurring in the northerly corner of the property. No individuals have been found in recent years' surveys. No direct impact is proposed for this area. A management plan to protect and maintain the orchids was developed and has been in practice since 2007. Further protective conditions have been included in the permit, including a requirement to endeavor to perpetuate the population into the habitat area as it extends onto the adjacent property also owned by the applicant. This area may also be subject to additional protections to be coordinated between the applicant and NHB staff.
6. The Dover Conservation Commission recommends approval of the application.

7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

**2011-01356                      CROWE, CHRIS & REBECCA**  
**LITTLETON   Unnamed Wetland**

**Requested Action:**

Retain 9,386 square feet of wetland impact for the construction of a manufactured home park, restore 16,015 square feet of wetlands that were impacted without a permit and create 1,220 square feet of wetlands.

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**APPROVE PERMIT:**

Retain 9,386 square feet of wetland impact for the construction of a manufactured home park, restore 16,015 square feet of wetlands that were impacted without a permit and create 1,220 square feet of wetlands.

**With Conditions:**

1. All work shall be in accordance with the plans by Horizons Engineering Inc. entitled Parkview Manufactured Home (Sheet 1,2, 4-10 of 10) dated May 2011 and received by the Department on June 10, 2011 and (Sheet 3 of 10) dated May 2011 as revised 9/2011 and received by the Department on September 30, 2011.
2. This permit is contingent upon the restoration of 16,015 square feet of wetlands, in accordance with the restoration plans and narrative as received by the Department on June 10, 2011.
3. This permit is contingent upon the creation of 1,220 square feet of wetlands in accordance with a narrative by Lobdell Associates and plans by Horizons Engineering Inc. entitled Parkview Manufactured Home (Sheet 3 of 10) dated May 2011 as revised 9/2011 and received by the Department on September 30, 2011.
4. Restoration shall be completed by July 15, 2012.
5. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration and creation areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary.
6. The qualified professional shall inspect the restoration areas, and submit an initial monitoring report with photographs to DES and the Ammonoosuc River Local Advisory Committee within 20 days of the projected restoration compliance date, but in no event shall the initial monitoring report be submitted later than August 15, 2011. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.
7. This permit is contingent on approval by the DES Alteration of Terrain Program.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Seed mix within the restoration and creation areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications and shall contain no reed canary grass (*Phalaris arundinacea*). Only native wetland species appropriate to the area shall be planted.
12. Mulch used within the wetland restoration and creation areas shall be natural straw or equivalent.
13. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
14. Restoration and creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional stream/wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by

mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

19. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a major project per Administrative Rule Env-Wt 303.02 (c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.

4. The wetlands were recently disturbed without a permit during recent logging and land clearing operations. Wetlands on the site were mapped in the fall of 2006.

5. Project revisions added the creation of 1,220 square feet of wetland to mitigate for the proposed 1,060 square feet of scrub-shrub wetland being impacted for the construction of a manufactured home lot.

6. The applicant has requested a waiver per Env-Wt 204.03, to the requirement that the department shall limit the location of a project to at least 20 feet from an abutting property line or imaginary extension thereof over surface water unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's as required by Env-Wt 304.04 (a).

7. The applicant has attempted to get permission from the abutting property owners. No response was received from the owner of tax map 86 lot 118 or 120.

8. The impacts within 20 feet of the abutting property owners are necessary to provide access to the buildable area of the lot.

9. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

10. The Ammonoosuc LAC reviewed the application and commented that during any work on the site B.M.P.s should be followed to prevent water and silt runoff from the site. The LAC further requested that they be provided copies of all inspection reports by DES. These comments are addressed by conditions of this permit.

11. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**2011-01724                      PORTSMOUTH CHRISTIAN ACADEMY**  
**DOVER   Bellamy River**

Requested Action:

Construct a tidal docking structure consisting of a 6 ft. x 30 ft. permanent pier with a 6 ft. x 30 ft. ramp to a 8 ft. x 11 ft. landing float connecting in a T configuration to a 10 ft. x 48 ft. main float (overall structure length 76 ft.), providing educational access and one slip on 2,135 feet of frontage on the Bellamy River.

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Inspection Date: 10/07/2011 by David A Price

APPROVE PERMIT:

Construct a tidal docking structure consisting of a 6 ft. x 30 ft. permanent pier with a 6 ft. x 30 ft. ramp to a 8 ft. x 11 ft. landing float connecting in a T configuration to a 10 ft. x 48 ft. main float (overall structure length 76 ft.), providing educational access and one slip on 2,135 feet of frontage on the Bellamy River.

With Conditions:

1. All work shall be in accordance with plans by Riverside & Pickering Marine Contractors dated June 15, 2011, as received by the Department of Environmental Services on July 20, 2011.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Construction of this tidal docking structure consisting of a 6 ft. x 30 ft. permanent pier with a 6 ft. x 30 ft. ramp to a 8 ft. x 11 ft. landing float connecting in a T configuration to a 10 ft. x 48 ft. main float (overall structure length 76 ft.), providing educational access and one slip on 2,135 feet of frontage on the Bellamy River shall be the only dock structure on this water frontage.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is currently no docking structure on the property to provide access to the water.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The decking of the dock shall have a minimum of 4 ft. clearance from the surface of the tidal marsh or 1:1 ratio of deck height to width as appropriate, and shall have 3/4-inch spacing between the decking planks.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. NH Natural Heritage Bureau (NHB) has record of a sensitive species within the vicinity of the project, but NHB does not expect that the species will be impacted by the project. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation, per letter dated September 2, 2011.
5. This dock is consistent with other tidal dock approvals in the seacoast.
6. DES staff field inspection on October 7, 2011 found that the site is accurately represented in the application.

-Send to Governor and Executive Council-

**2011-01972**                      **ROLLINS, ALGER**  
**DURHAM Little Bay**

Requested Action:

Construct a tidal docking structure consisting of a 4 ft. x 31 ft. permanent pier with a 3 ft. x 30 ft. ramp to a 8 ft. x 12 ft. landing float connecting in a T configuration to two 8 ft. x 24 ft. floats (overall structure length 76 ft.), providing 4 slip on 1,631 feet of frontage on Little Bay.

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Inspection Date: 10/11/2011 by Dori A Wiggin

**APPROVE PERMIT:**

Construct a tidal docking structure consisting of a 4 ft. x 31 ft. permanent pier with a 3 ft. x 30 ft. ramp to a 8 ft. x 12 ft. landing float connecting in a T configuration to two 8 ft. x 24 ft. floats (overall structure length 76 ft.), providing 4 slip on 1,631 feet of frontage on Little Bay.

**With Conditions:**

1. All work shall be in accordance with plans by MJS Engineering PC dated August 8, 2011, as received by the Department of Environmental Services on August 15 July 20, 2011.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Construction of this tidal docking structure consisting of a 4 ft. x 31 ft. permanent pier with a 3 ft. x 30 ft. ramp to a 8 ft. x 12 ft. landing float connecting in a T configuration to two 8 ft. x 24 ft. floats (overall structure length 76 ft.), providing 4 slip on 1,631 feet of frontage on Little Bay shall be the only dock structure on this water frontage.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. Removal of the 15" diameter oak located immediately adjacent to the easterly side of the proposed dock location shall be dependent upon submission of documentation by a professional arborist to DES, and the subsequent acknowledgement by DES, that the tree is diseased and poses a threat to the structure of the dock.

**With Findings:**

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is currently no docking structure on the property to provide access to the water.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The decking of the dock shall have a minimum of 4 ft. clearance from the surface of the tidal marsh or 1:1 ratio of deck height to width as appropriate, and shall have 3/4-inch spacing between the decking planks.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. NH Natural Heritage Bureau (NHB) has record of a sensitive species within the vicinity of the project, but NHB does not expect that the species will be impacted by the project, per letter dated 6/23/2011. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation, per letter dated 10/6/2011.
5. This dock is consistent with other tidal dock approvals in the seacoast.
6. DES staff field inspection on October 11, 2011 found that the site is accurately represented in the application.

-Send to Governor and Executive Council-

**MINOR IMPACT PROJECT**

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**2006-03033                      PAUL, JENNIFER**  
**NEW LONDON   Lake Sunapee**

Requested Action:

Request permit time extension.

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Conservation Commission/Staff Comments:

No comments from Con Com by 02/12/07

With Conditions:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01. 2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01. 2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2007-02782                      TRUSSELL, RUTH**  
**NEW BOSTON   Unnamed Wetland**

Requested Action:

"Request permit time extension"

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With Conditions:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.  
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

With Findings:

1.The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.  
2.This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2011-00645                      WOLLEN, JOHN**  
**NASHUA   Unnamed Wetland**



Requested Action:

Fill 12,040 square feet of emergent wetland to cap waste asbestos.

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Fill 12,040 square feet of emergent wetland to cap waste asbestos.

With Findings:

1. A request for additional information dated July 20, 2011, addressed to the applicant and the agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2011-01046 YVON CONSTRUCTION CORP**  
**DERRY Unnamed Wetland**

Requested Action:

Dredge and fill a total of 8,550 sq. ft. of palustrine forested / scrub-shrub wetlands, containing an intermittent stream, to construct a driveway with two culvert crossings to access a commercial building site on a 21.4 acre parcel of land.

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Conservation Commission/Staff Comments:

No report or comments were received from the Derry Conservation Commission on this application.

APPROVE PERMIT:

Dredge and fill a total of 8,550 sq. ft. of palustrine forested / scrub-shrub wetlands, containing an intermittent stream, to construct a driveway with two culvert crossings to access a commercial building site on a 21.4 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated April 8, 2011, as received by the NH Department of Environmental Services (DES) on May 13, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau may require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff and the Derry Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work shall be done during low flow.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project was approved under the NH SPGP by USEPA on September 01, 2011.

**2011-01883                      BAE SYSTEMS INFORMATION & ELECTRICAL SYSTEM INT IN  
HUDSON   Merrimack River**

**Requested Action:**

Dredge & fill a total of 480 sq. ft. along the east bank of the Merrimack River for the stabilization of the existing culvert outlet & headwall, utilizing stone rip-rap and bioengineering technology, and dredge 120 sq. ft. for the removal of a beaver dam from the associated stormwater detention basin and outlet structure.

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**Conservation Commission/Staff Comments:**

No report or comments were received from the Hudson Conservation Commission on this application.

**APPROVE PERMIT:**

Dredge & fill a total of 480 sq. ft. along the east bank of the Merrimack River for the stabilization of the existing culvert outlet & headwall, utilizing stone rip-rap and bioengineering technology, and dredge 120 sq. ft. for the removal of a beaver dam from the associated stormwater detention basin and outlet structure.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated August 9, 2010, as received by the NH Department of Environmental Services (DES) on August 04, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau may require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Hudson Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during low flow.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(I).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-02474                      DAVIS, GERALD  
MOULTONBOROUGH   Lake Winnepesaukee**

**Requested Action:**

Permanently remove an existing 6 ft x 30 ft dock and crib, install a 6 ft x 40 ft seasonal dock in the same location, retain two seasonal PWC lifts adjacent to the dock on an average of 101 ft of shoreline, Lake Winnepesaukee, Moultonborough.

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**Conservation Commission/Staff Comments:**

Con Com signed Exp Application

**APPROVE PERMIT:**

Permanently remove an existing 6 ft x 30 ft dock and crib, install a 6 ft x 40 ft seasonal dock in the same location, retain two seasonal PWC lifts adjacent to the dock on an average of 101 ft of shoreline, Lake Winnepesaukee, Moultonborough.

**With Conditions:**

1. All work shall be in accordance with plans by Don Carey dated September 12, 2011, as received by the NH Department of Environmental Services (DES) on September 28, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permitted. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. Appropriate salutation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, ROSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per ROSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The replacement of a permanent crib dock with a seasonal dock is less impacting than repairing the crib dock "in kind".

**MINIMUM IMPACT PROJECT**

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**2011-02295                      MANDALA CONVIENCE LLC**  
**CLAREMONT**

**Requested Action:**

Dredge and fill ± 220 sq ft. of the palustrine forested wetlands for lot development.

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**APPROVE PERMIT:**

Dredge and fill ± 220 sq ft. of the palustrine forested wetlands for lot development.

**With Conditions:**

1. All work shall be in accordance with plans by M & Soils Engineering, Inc. dated July 22, 2011, as received by the DES Wetlands Bureau on September 12, 2011.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Culverts shall be properly rippedraped.

8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The impacts are necessitated by reconstruction of commercial buildings destroyed in a fire.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-02499                      GARADENDIAN, RICHARD**  
**HARTS LOCATION   Saco River**

Requested Action:

Temporarily impact 114,000 square feet of the bed and banks of the Saco River to stabilize approximately 750 feet of the west bank of the Saco River which was severely eroded during Tropical Storm Irene. Work in jurisdiction includes creating an active floodplain bench along the eroding bank using alluvium excavated from the large gravel bars within the river channel creating a new riverbank at the bankfull elevation with a smooth bend radius of about 400 feet; constructing several log flow deflection structures along the bank; and installing riparian shrub live stakes along the banks and on the floodplain bench.

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APPROVE PERMIT:

Temporarily impact 114,000 square feet of the bed and banks of the Saco River to stabilize approximately 750 feet of the west bank of the Saco River which was severely eroded during Tropical Storm Irene. Work in jurisdiction includes creating an active floodplain bench along the eroding bank using alluvium excavated from the large gravel bars within the river channel creating a new riverbank at the bankfull elevation with a smooth bend radius of about 400 feet; constructing several log flow deflection structures along the bank; and installing riparian shrub live stakes along the banks and on the floodplain bench.

With Conditions:

1. All work shall be in accordance with plans by Headwaters Hydrology PLLC entitled Crawford Notch Campground: Saco River Bank Stabilization (Sheets 4-6 of 6) dated September 2011 as received by the Department on October 13, 2011
2. The permittee shall designate a professional engineer who will be responsible for monitoring and ensuring that the areas are constructed in accordance with the plan.
3. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
4. The permittee shall notify DES in writing of their intention to commence construction.
5. Work within the river shall be done during periods of low flow.
6. The contractor(s) shall clean (pressure wash) all soils and vegetation from construction equipment prior to entering the river.
7. Appropriate siltation, erosion controls, turbidity, and sedimentation controls shall be utilized.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation.
10. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.

11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
20. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Approximately 1.6 acres of land were lost during Tropical Storm Irene.
6. Of the proposed 114,000 square feet of impacts to jurisdictional areas 46,000 square feet are within the pre-flood river channel, and 68,000 square feet are within the post-flood river channel.
7. The watershed is very steep and yields prodigious peak flows and coarse bedload sediment.
8. A report by a professional engineer stated that in general the river is very unstable due to sediment transport discontinuity; the volume of sediment delivered to the river exceeds its ability to mobilize it. As a result, sediment deposits within the channel and water flowing around these deposits erodes the river banks.
9. The professional engineer's report further stated that as result of the project there are no anticipated adverse impacts on abutting owners. The project is expected to reduce erosive forces on the east river bank near the downstream end of the project
10. The professional engineer's report further stated the proposed project is designed to reduce the rate of riverbank erosion at the campground without artificially confining the meander belt width or permanently affecting the river's ability to adjust its dimension, pattern, or profile.
11. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**FORESTRY NOTIFICATION**

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**2011-02553                      GILES, LEONARD**  
**CANTERBURY   Unnamed Stream**

COMPLETE NOTIFICATION:

Canterbury Tax Map 260, Lot# 2

**2011-02554 HILTON, MARK**  
**NEWBURY Unnamed Stream**

COMPLETE NOTIFICATION:  
Newbury Tax Map 45, Lot# 382-409

## EXPEDITED MINIMUM

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**2006-01521 WORKPLACE SYSTEMS INC**  
**LONDONDERRY Unnamed Wetland**

### Requested Action:

Dredge and fill approximately 2,978 sq. ft. (98 sq. ft. temporary impacts) of wetlands to widen an existing access way, decommission a dug well and install a municipal sanitary sewer line at an existing commercial/manufacturing facility.

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### APPROVE TIME EXTENSION:

Dredge and fill approximately 2,978 sq. ft. (98 sq. ft. temporary impacts) of wetlands to widen an existing access way, decommission a dug well and install a municipal sanitary sewer line at an existing commercial/manufacturing facility.

### With Conditions:

1. All work shall be in accordance with plans by The H.L. Turner Group Inc., sheet WT-1, dated June 6, 2006, sheet TEC1, dated April 14, 2006 and sheet TEC2, dated June 14, 2006, as received by the Department on June 20, 2006.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. The wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after one growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to working adjacent to surface waters or wetlands. Faulty equipment shall be repaired immediately.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission did not submit comments, however, they signed the Minimum Impact Expedited Application.

**2011-01753                      FREEMAN, IVOR & BARBARA**  
**NEWBURY   Unnamed Stream**

Requested Action:

Maintenance dredge  $\pm$  1,785 sq. ft. of accumulated sediment from an existing pond; dredge and fill  $\pm$  84 sq. ft. ( $\pm$  30 lin. ft.) of intermittent stream bank for bank stabilization; and dredge and fill  $\pm$  78 sq. ft. of intermittent stream/pond outlet to replace a 16-in. CMP with an 18-in. RCP.

\*\*\*\*\*

APPROVE PERMIT:

Maintenance dredge  $\pm$  1,785 sq. ft. of accumulated sediment from an existing pond; dredge and fill  $\pm$  84 sq. ft. ( $\pm$  30 lin. ft.) of intermittent stream bank for bank stabilization; and dredge and fill  $\pm$  78 sq. ft. of intermittent stream/pond outlet to replace a 16-in. CMP with an 18-in. RCP.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC, dated June 23, 2011 and July 12, 2011, and revised through July 25, 2011, as received by the Department on July 28, 2011.
2. All work shall be done during low flow conditions and in the dry.
3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Machinery shall not be located within surface waters.
6. Machinery shall be staged and refueled in upland areas.
7. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Wq 1700.
10. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Bank stabilization shall not be done to extend land into the stream channel.
12. Bank stabilization shall maintain the existing stream bank grade.
13. A post-construction narrative documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), Maintenance dredging, when necessary to provide continued usefulness of man-made ponds; and Env-Wt 303.04(n), Any project that disturbs less than 50 linear feet of an intermittent nontidal stream channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-01960                      DRAY, MARY**  
**HAMPTON   Hampton River**

**Requested Action:**

In-kind replacement approximately 94 linear feet of concrete retaining wall along the tidal saltmarsh and installation of a pervious parking area and walk within the tidal buffer zone.

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**Conservation Commission/Staff Comments:**

The Hampton Conservation Commission signed the Minimum Impact Expedited Application.

**APPROVE PERMIT:**

In-kind replacement approximately 94 linear feet of concrete retaining wall along the tidal saltmarsh and installation of a pervious parking area and walk within the tidal buffer zone.

**With Conditions:**

1. All work shall be in accordance with plans by Waterscapes of New England, as received by the NH Department of Environmental Services (DES) on August 12, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Work shall be done during low tide only.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. This permit does not allow impacts within the saltmarsh for any purpose.
10. Replacement of the retaining shall maintain existing size, location and configuration.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. All pervious surfaces shall remain pervious in perpetuity.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated 9/7/11 from the NH Natural Heritage Bureau identified one (1) exemplary natural communities within the vicinity of the proposed project, salt marsh system.
6. DES finds that the salt marsh system identified in the aforementioned memo will not be adversely impacted as a result of the proposed project as the work will be done in-kind.



**2011-01990                      LAKES RIDGE MANOR ASSOCIATION**  
**GILMANTON   Shellcamp Pond**

Requested Action:

Upgrade and repair an existing 9 ft x 20 ft asphalt boat ramp with a concrete ramp of the same dimensions and location on Shellcamp Pond, Gilmanton.

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Conservation Commission/Staff Comments:

Con Com did not sign Exp application, no Con Com comments by Sept 15, 2011

APPROVE PERMIT:

Upgrade and repair an existing 9 ft x 20 ft asphalt boat ramp with a concrete ramp of the same dimensions and location on Shellcamp Pond, Gilmanton.

With Conditions:

1. All work shall be in accordance with plans, as received by the NH Department of Environmental Services (DES) on September 21, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. Work shall be done during drawdown.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of non-docking structures.

**2011-02056                      SOCIETY FOR THE PRESERVATION OF N E ANTIQUITIES**  
**NEW IPSWICH   Wetmeadow Adjacent To Tannery Brook**

Requested Action:

Dredge and fill  $\pm$  920 of palustrine emergent wetlands for installation of storm water treatment improvements.

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APPROVE PERMIT:

Dredge and fill  $\pm$  920 of palustrine emergent wetlands for installation of storm water treatment improvements.

With Conditions:

1. All work shall be in accordance with plans by Woods & Co. Civil Engineering dated August 12, 2011, as received by the DES Wetlands Bureau on September 15, 2011.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Culverts shall be properly ripped.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (f), alteration of less than 3,000 sq. ft. of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-02064                      DALTON, TOWN OF**  
**DALTON Intermittent/ditches**

Requested Action:

Impact approximately 1,400 square feet and 420 linear feet within palustrine forested wetland intermittent streams and man-made ditches for the replacement of eight (8) culverts and installation of six (6) new culverts for safe vehicular passage, continued usefulness of existing ditches and maintain flowage of intermittent streams.

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Conservation Commission/Staff Comments:

The Dalton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact approximately 1,400 square feet and 420 linear feet within palustrine forested wetland intermittent streams and man-made ditches for the replacement of eight (8) culverts and installation of six (6) new culverts for safe vehicular passage, continued usefulness of existing ditches and maintain flowage of intermittent streams.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering, Inc. dated Aug 2011, as received by the Department on August 25, 2011.
2. Any further alteration of areas maintained by the Town of Dalton that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. All work within streams shall be done in the dry or during periods of low flow with a cofferdam and flume method.
5. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Any project not otherwise specified in this section that is located within the right-of-way of a public highway.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-02259                      MACINTYRE, PATRICIA**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Repair "in kind" an existing 16 ft x 11 ft 6 in concrete pad, removed existing concrete steps, install two seasonal boatlifts adjacent to the existing 4 ft 6 in x 42 ft seasonal docking structure, repair an existing 10 linear ft of retaining wall and construct a 200 sq ft perched beach on an average of 90 ft of frontage, Lake Winnepesaukee, Meredith.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
Con Com signed Exp Application

APPROVE PERMIT:

Repair "in kind" an existing 16 ft x 11 ft 6 in concrete pad, removed existing concrete steps, install two seasonal boatlifts adjacent to the existing 4 ft 6 in x 42 ft seasonal docking structure, repair an existing 10 linear ft of retaining wall and construct a 200 sq ft perched beach on an average of 90 ft of frontage, Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Pollock Land Planning LLC dated August 02, 2011, as received by the NH Department of Environmental Services (DES) on September 08, 2011.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Seasonal boat lifts shall be removed for the non-boating season.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall

remain otherwise undisturbed such that the natural shoreline remains identifiable.

8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 6 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.

**2011-02291 SEABROOK, TOWN OF  
SEABROOK Unnamed Wetland**

Requested Action:

Impact 950 square feet of a jurisdictional, man-made roadside drainage ditch to install a 18-inch HDPE culvert for the construction of an alternate access road to the Seabrook Transfer Station.

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Conservation Commission/Staff Comments:

The Seabrook Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 950 square feet of a jurisdictional, man-made roadside drainage ditch to install a 18-inch HDPE culvert for the construction of an alternate access road to the Seabrook Transfer Station.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated June 29, 2011, as received by the NH Department of Environmental Services (DES) on September 12, 2011.
2. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. No fill shall be done for lot development.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wet meadow.
2. The impacts are necessary to relocate the access road to the transfer station as the access road, Rock Road, is a residential area. The relocation will greatly reduce safety concerns; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur at the narrowest portion of wetlands; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with Env-Wt 304.04, the applicant received written concurrence from the abutter whose property is within 20-feet of the proposed impacts.

**2011-02294                      SWEET WATER TRUST**  
**STODDARD   Pickerel Creek Pond(aka Pioneer Lake)**

Requested Action:

Dredge and fill / temporarily impact  $\pm$  100 sq. ft. of Pickerel Creek and Pickerel Creek Pond (a.k.a. Pioneer Lake) for dam maintenance and repair.

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APPROVE PERMIT:

Dredge and fill / temporarily impact  $\pm$  100 sq. ft. of Pickerel Creek and Pickerel Creek Pond (a.k.a. Pioneer Lake) for dam maintenance and repair.

With Conditions:

1. All work shall be in accordance with plans by HTE Northeast, Inc., dated August 17, 2011, as received by the Department on September 12, 2011.
2. All work shall be done in low flow conditions and under drawdown.
3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
5. Machinery shall not be located within surface waters.
6. Machinery shall be staged and refueled in upland areas.
7. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Wq 1700.
9. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), Maintenance, repair, or replacement of a dam.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-02296                      PSNH**  
**HOOKSETT**

Requested Action:

Impact 1,030 square feet of wetlands to install stabilization measures, including rip rap, loaming and seeding, in a severely eroded drainage swale.

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APPROVE PERMIT:

Impact 1,030 square feet of wetlands to install stabilization measures, including rip rap, loaming and seeding, in a severely eroded drainage swale.

With Conditions:

1. All work shall be in accordance with plans by TF Moran dated 9/2/2011, as received by the NH Department of Environmental Services (DES) on 9/12/2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Work shall be done during non-flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported that, although there was a listed species in the project area, no impacts were expected to the species as a result of the project.
5. The Hooksett Conservation Commission signed the expedited minimum impact application.

**2011-02309                      SCHUSCHERBA, BONNIE/GEORGE**  
**DERRY   Beaver Lake**

Requested Action:

In-kind reconstruction of a 60 linear foot section of an existing retaining wall and impact 20 sq ft. of bank for the in-kind reconstruction of the existing steps with approximately 193 feet of frontage on Beaver Lake.

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Conservation Commission/Staff Comments:

George and Bonnie Schuschubera of 4 Grandview Ave., Derry, NH propose to rebuild 60 linear feet of an existing retaining wall and existing steps to Beaver Lake.

APPROVE PERMIT:

In-kind reconstruction of a 60 linear foot section of an existing retaining wall and impact 20 sq ft. of bank for the in-kind reconstruction of the existing steps with approximately 193 feet of frontage on Beaver Lake.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering Inc. dated June 3, 2011, as received by the NH Department of Environmental Services (DES) on September 19, 2011.
2. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be

avoided.

6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. Work shall be done during drawdown.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. This permit does not allow dredging for any purpose.
11. Repair shall maintain existing size, location and configuration.1.
12. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
13. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If a wall is to be refaced such additional width shall not exceed 6 inches.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. David Howell, owner of plot 5503 on The Town of Derry, NH tax map, has provided written consent for the proposed work.

**2011-02317                      FREESTYLE FARM LLC**  
**AMHERST   Vijverhof Pond**

Requested Action:

Temporarily impact 515 square feet within the bed of Vijverhof Pond (Fearon Farm Pond) for the reconstruction of the outlet structure on the dam (#007.09).

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Amherst Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 515 square feet within the bed of Vijverhof Pond (Fearon Farm Pond) for the reconstruction of the outlet structure on the dam (#007.09).

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated April 1, 2011, as received by the NH Department of Environmental Services (DES) on September 14, 2011.
2. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Work shall be done during drawdown.

8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau..
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-02342                      SAINT GAUDENS NATIONAL HISTORIC SITE**  
**CORNISH   Tributary To Blow-me-down Brook**

Requested Action:

Dredge and fill  $\pm$  100 sq. ft. of an intermittent tributary to Blow-me-Down Brook to replace an existing 12-inch x 130-foot CMP with a 15-inch HDPE pipe to allow for the reconstruction of an existing parking lot.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill  $\pm$  100 sq. ft. of an intermittent tributary to Blow-me-Down Brook to replace an existing 12-inch x 130-foot CMP with a 15-inch HDPE pipe to allow for the reconstruction of an existing parking lot.

With Conditions:

1. All work shall be in accordance with plans by the United States Department of the Interior National Park Service Denver Service Center dated September 06, 2011, as received by the Department on September 15, 2011.
2. Work shall be done during dry conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ah), Any project that includes any new stream crossing which qualifies as minimum impact under Env-Wt 903.01(e).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.



**2011-02350 ELDER FAMILY PORTLAND ASSOCIATES LP**  
**PORTSMOUTH Unnamed Wetland**

Requested Action:

Maintenance dredge and re-shape 7,310 sq. ft. of non-tidal drainage ditch wetlands and replace a failed french drain with a 15 in. x 40 ft. HDPE culvert within an existing commercial parking lot.

\*\*\*\*\*

APPROVE PERMIT:

Maintenance dredge and re-shape 7,310 sq. ft. of non-tidal drainage ditch wetlands and replace a failed french drain with a 15 in. x 40 ft. HDPE culvert within an existing commercial parking lot.

With Conditions:

1. All work shall be in accordance with plans by M.J. Grainger Engineering, Inc. dated August 31, 2011, as received by the NH Department of Environmental Services (DES) on September 16, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be done during low flow.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, provided that: 1) the work is done within the original bounds of a legally-constructed project; 2) the project is not located in or adjacent to prime wetlands; 3) the work does not exceed 20,000 sq. ft.; and 4) for man-made ponds, the pond has not been abandon as defined in Env-Wt 101.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is proposing to maintenance dredge existing drainage ditch wetland areas to their original bounds of a legally-constructed project.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The Natural Heritage Bureau ("NHB") has record of sensitive species within the project vicinity, but NHB does not expect the species will be impacted by the project.
5. In accordance with Env-Wt 304.04, the applicant has obtained written concurrence from the abutter for work within 20 ft. to the abutting property line.
6. The Portsmouth Conservation Commission recommends approval of the project.

**2011-02381 NEW BOSTON, TOWN OF**  
**NEW BOSTON Unnamed Wetland**

Requested Action:

Temporarily impact ± 183 sq. ft. of an unnamed perennial stream and associated wetlands to replace twin 15-inch culverts with an 8-foot x 3-foot embedded box culvert.

\*\*\*\*\*

#### APPROVE PERMIT:

Temporarily impact  $\pm$  183 sq. ft. of an unnamed perennial stream and associated wetlands to replace twin 15-inch culverts with an 8-foot x 3-foot embedded box culvert.

#### With Conditions:

1. All work shall be in accordance with plans by Richard D. Bartlett & Associates, LLC, dated September 08, 2011, and plans by Michie Corporation, Inc. dated July 27, 2011, as received by the Department on September 20, 2011.
2. Work shall be done during low flow conditions.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular riprap or gravel.
15. The channel at the culvert inlet and outlet must maintain the natural and a consistent streambed elevation and not impede stream flow.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
22. Post-construction photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

#### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 904.07, In-Kind Replacement of a Tier 2 Existing Legal Stream Crossings.
2. The replacement crossing is an upgrade that incorporates stream simulation.
3. The Agent has confirmed the proposed box culvert will pass the 100-year storm.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-02430                      102 PRESCOTT AVENUE REALTY TRUST**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

Repair 103 linear feet of existing retaining wall "in kind", retain two seasonal PWC lifts adjacent to the 16 ft x 16 ft 10 in deck, on and average of 170 ft of frontage, Lake Winnepesaukee, Laconia.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair 103 linear feet of existing retaining wall "in kind", retain two seasonal PWC lifts adjacent to the 16 ft x 16 ft 10 in deck, on and average of 170 ft of frontage, Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated August 22, 2010, as received by the NH Department of Environmental Services (DES) on September 26, 2011.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. Work shall be done during drawdown.
5. Seasonal PWC lifts shall be removed for the non-boating season.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls that is performed in the dry during drawdown.

**2011-02500                      ZAPPALA, TIMOTHY/JUDITH**  
**SUNAPEE   Lake Sunapee**

Requested Action:

Replace an existing 8 ft x 30 ft permanent dock supported by an 8 ft x 7 ft crib on Lake Sunapee, New London.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace an existing 8 ft x 30 ft permanent dock supported by an 8 ft x 7 ft crib on Lake Sunapee, New London.

With Conditions:

1. All work shall be in accordance with plans by Richard Green, as received by the NH Department of Environmental Services (DES) on October 03, 2011.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**AGRICULTURE MINIMUM**

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**2010-01575                      MCCREEDY, ROBERT**  
**JEFFERSON    Unnamed Stream**

Requested Action:

Amend permit to:

1. Include riprap stabilization of 35 linear feet of stream bank and channel within bridge and beyond to avoid channel scour and undermining of bridge abutments; and
2. Revise bridge grade.

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APPROVE AMENDMENT:

Dredge and fill  $\pm$  1,600 sq. ft. of a perennial tributary to the Israel River to remove an existing 4-ft. culvert and replace with a 14-foot wide bridge.

With Conditions:

1. All work shall be done in accordance with plans by Natural Resource Conservation Service entitled Robert McCreedy - Jefferson, NH Addendum to Crossing dated September 19, 2011, as received by DES on September 27, 2011.
2. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
3. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
4. This permit shall be recorded with the county Registry of Deeds office by the permittee.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Work shall be done during low flow.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road

construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.

8. Machinery shall be staged and refueled in upland areas.

9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.

10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.

13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

15. Temporary cofferdams shall be entirely removed immediately following construction.

16. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.

17. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

#### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u), Maintenance or improvement of existing crop or pasture land for continued agricultural use.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. No comments were submitted from the NH Natural Heritage Bureau.

4. Due to design changes that resulted from construction an amendment to the permit was received on September 27, 2011, to revise the bridge grade and to include riprap stabilization of 35 linear feet of stream bank and channel within bridge and beyond to avoid channel scour and undermining of bridge abutments.

#### TRAILS NOTIFICATION

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**2011-02555                      NH DRED**  
**STRATFORD   Unnamed Stream**

#### COMPLETE NOTIFICATION:

Stratford Tax Map R3, Lot# 1

#### LAKES-SEASONAL DOCK NOTIF

\*\*\*\*\*

**2011-02602                      FARMEN, THOMAS/KATHRYN**  
**ACWORTH   Crescent Lake**

COMPLETE NOTIFICATION:

Acworth Tax Map 201, Lot# 4 Crescent Lake

ROADWAY MAINTENANCE NOTIF

\*\*\*\*\*

**2011-02584**                      **NH DEPT OF TRANSPORTATION**  
**CANDIA**   **Unnamed Wetland**

COMPLETE NOTIFICATION:

Replace failing 24"x 40' CMP with a 24"x 48' RCP and clean inlet & outlet

**2011-02585**                      **MAILLET, ERIC**  
**MASON**   **Unnamed Wetland**

COMPLETE NOTIFICATION:

Replace a 12" culvert with a 15" culvert

PERMIT BY NOTIFICATION

\*\*\*\*\*

**2011-02298**                      **HUNTON, THOMAS**  
**LYME**   **Unnamed Pond**

Requested Action:

Maintenance dredge  $\pm$  7,000 sq. ft. of an existing man-made pond.

\*\*\*\*\*

PBN IS COMPLETE:

Maintenance dredge  $\pm$  7,000 sq. ft. of an existing man-made pond.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(3), Maintenance dredging that meets the criteria in Env-Wt 303.04(k).

**2011-02476**                      **PSNH**  
**RICHMOND**   **Unnamed Wetland**

Requested Action:

Temporarily impact 13,875 square feet of palustrine scrub-shrub wetland within the maintained utility right-of-way of the 379 transmission line to replace one (1) utility pole structure (structure 470).

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Richmond Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

Temporarily impact 13,875 square feet of palustrine scrub-shrub wetland within the maintained utility right-of-way of the 379 transmission line to replace one (1) utility pole structure (structure 470).

**2011-02577 CLARK, BEVERLY**  
**LACONIA Lake Winnepesaukee**

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.
2. Pursuant to Env-Wt 402.11 "Maintenance. Any structures constructed under these criteria shall be maintained so as to be useable for its intended purpose." Therefore abutter permission is not required to repair existing structures in kind.

**2011-02582 WHY, GREGORY/SHELLY**  
**WOLFEBORO Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign Exp application

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**CSPA PERMIT**

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**2008-02519                      MOFFITT, HEATHER**  
**SPRINGFIELD   Lake Kolelemook**

**Requested Action:**

Request name change to: Heather Moffitt, 115 Laurel Ave, Toms River, NJ 08753 per request received 10/3/11. Previous owner: Josphe & Arlett Miller.

\*\*\*\*\*

**APPROVE NAME CHANGE:**

Impact 3764 sq ft for the purpose of constructing a single family dwelling.

**With Conditions:**

1. All work shall be in accordance with plans by Lloyd Vose dated January 30, 2008 and received by the Department of Environmental Services ("DES") on January 5, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. No more than 11.69% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will leave approximately 8015.0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2661.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. No fill used shall be clean sand, gravel, rock, or other suitable material.

**With Findings:**

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wq 1406.18.

**2009-00324                      KIRST, AMY/RICHARD**  
**WOLFEBORO   Crescent Lake**

**Requested Action:**

Owner proposed an amendment change to permit for relocation of septic system, modification to driveway, and add a walkway. An 835 sq ft increase for impervious area.

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**APPROVE AMENDMENT:**

AMEND: Impact 9,028 sq ft in order to replace existing structure,, increase existing gravel driveway, add a walkway with patio and construct a septic system.



With Conditions:

1. All work shall be in accordance with revised plans by Peter Cooperdock, CCS dated October 4, 2011 and received by the Department of Environmental Services ("DES") on October 7, 2011
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No more than 21.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. The project as proposed will leave approximately 1,723 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state, RSA 483-B:9, V, (b), (2).
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2010-02130                      SIMMONS, DAVID/PATRICIA**  
**GREENFIELD   Sunset Lake**

Requested Action:

Amend permit. Owner proposes to remove stairs and relocate further from the reference line.

\*\*\*\*\*

APPROVE AMENDMENT:

Impact 6,552 sq ft in order to replace a dwelling with an addition on the south side, modification and reduction to the deck and stairs on the north side, construct a garage and septic system.

With Conditions:

1. All work shall be in accordance with revised plans by Beaver Brook Environmental Consultants, LLC dated August 5, 2010 and received by the NH Department of Environmental Services (DES) on October 13, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 17.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 3,230 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,875 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-00440                      MOULTON, MICHAEL**  
**WAKEFIELD   Great East Lake**

Requested Action:

Amend Shoreland Permit to approve revised plan received by DES on September 23, 2011, to reconfigure the porous driveway area, change the composition of the proposed pervious material to porous concrete, and establish an additional planting area within the waterfront buffer on the Property.

\*\*\*\*\*

APPROVE AMENDMENT:

Amend permit to read: Impact 5,122 sq ft for the purpose of converting 2,731 sq ft of gravel (impervious) driveway to a permeable surface (porous pavers) and the retention of a blue stone patio on the property.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp as revised by Gove Environmental Services and received by the NH Department of Environmental Services (DES) on September 23, 2011.
2. Be advised, retention of the portions of blue stone patio located within the 20 ft setback and other unauthorized shoreline structures (i.e. retaining walls) on the property shall be subject to and determined by pending Wetland Enforcement File #2009-01425. Retention of shoreland and shoreline structures not authorized by this permit may require additional approval by the Department.
3. In accordance with comments and recommendations provided by the New Hampshire Fish and Game Department, all construction activities to occur along shoreline will be performed outside the Loon nesting season and during draw-down conditions.
4. No more than 28.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. There shall be no impacts to the areas on the property currently existing in and to remain in an unaltered state (approximately 185 sq ft) on the property.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01410                      JAY GEES ICE CREAM LLC**  
**SALEM   Spicket River**

Requested Action:

Impact 3,640 sq ft for the purpose of constructing a new commercial building and associated accessory structures.

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APPROVE PERMIT:

Impact 3,640 sq ft for the purpose of constructing a new commercial building and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc. dated August 8, 2011 and received by the Department of Environmental Services ("DES") on August 10, 2011.
2. No more than 66.% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. No impacts shall occur to natural ground covers within the waterfront buffer.
4. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.

**2011-01880                      BROWN, ALLAN/GAIL**  
**BARNSTEAD   Lower Suncook Lake**

Requested Action:

Impact 1,796 sq ft for the purpose of constructing a new, more nearly conforming primary structure, associated accessory structures and installing a new septic system and stormwater controls.

\*\*\*\*\*

APPROVE PERMIT:

Impact 1,796 sq ft for the purpose of constructing a new, more nearly conforming primary structure, associated accessory structures and installing a new septic system and stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc., dated July 20, 2011 and received by the Department of Environmental Services ("DES") on August 4, 2011.
2. No more than 16.59% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.

6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 2,500 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lower Suncook Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to increase the primary structure's setback from the reference line by 7 feet.
4. The applicant has proposed to install stormwater controls consisting of an infiltration trench.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to install significant stormwater controls and attain a greater setback from the reference line and install a new septic system, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

**2011-02374                      SMITH, LESLIE**  
**GILMANTON   Crystal Lake**

Requested Action:

Impact approximately 7,413 sq ft for the purpose of installing a foundation beneath an existing dwelling, installing a new onsite septic system and associated utilities, and constructing a detached garage.

\*\*\*\*\*

APPROVE PERMIT:

Impact approximately 7,413 sq ft for the purpose of installing a foundation beneath an existing dwelling, installing a new onsite septic system and associated utilities, and constructing a detached garage.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants, LLC dated August 29, 2011 and received by the NH Department of Environmental Services (DES) on October 12, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 7.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. At least 3,458.25 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02448                      JUDGE E MCCLAUGHLIN REV TRUST**  
**WASHINGTON   Island Pond**

**Requested Action:**

Impact 16,245 sq ft for the purpose of constructing a pole barn, upgrading/installing a new septic system with associated utilities, and constructing a new impervious driveway. The proposed driveway includes impacts on both Lots 52 and 49.

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**APPROVE PERMIT:**

Impact 16,245 sq ft for the purpose of constructing a pole barn, upgrading/installing a new septic system with associated utilities, and constructing a new impervious driveway. The proposed driveway includes impacts on both Lots 52 and 49.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services dated October 12, 2011 and received by the NH Department of Environmental Services (DES) on October 12, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 12.7% of the area of Lot 52 and 1.07% of the area on Lot 49 within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 5,713 sq ft of the Natural Woodland Buffer beyond the primary building setback on Lot 52 must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. At least 71,925 sq ft of the Natural Woodland Buffer beyond the primary building setback on Lot 49 must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02459                      HOLIGAN, DAVID**  
**ATKINSON   Big Island Pond**

Requested Action:

Impact 450 sq ft for the purpose of constructing an 18 inch by 100 ft retaining wall along an existing walking path.

\*\*\*\*\*

APPROVE PERMIT:

Impact 450 sq ft for the purpose of constructing an 18 inch by 100 ft retaining wall along an existing walking path.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on September 27, 2011 and October 10, 2011.
2. No more than 18.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 10,145 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. There shall be no removal of existing trees removed within the 50 ft waterfront buffer as a result of this approval.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02460                      OCONNER, JEREMIAH/MARY**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Impact 2,697 sq ft for the purpose of installing stormwater controls.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,697 sq ft for the purpose of installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Co, Inc., dated September 26, 2011 and received by the Department of Environmental Services ("DES") on September 27, 2011.
2. No more than 31.38% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. No impacts shall occur to natural ground covers within the waterfront buffer.
4. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
5. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

**2011-02468                      MCCOOLE, DANIEL**  
**RAYMOND    Lamprey River**

Requested Action:

Replace existing 320 sq ft deck, located on northside, with a 480 sq ft screen porch with deck and replace an existing 128 sq ft deck, located on the eastside of house, with a 216 sq ft deck.

\*\*\*\*\*

APPROVE PERMIT:

Replace existing 320 sq ft deck, located on northside, with a 480 sq ft screen porch with deck and replace an existing 128 sq ft deck, located on the eastside of house, with a 216 sq ft deck.

With Conditions:

1. All work shall be in accordance with plans by Daniel McCoole dated May, 2011 and received by the NH Department of Environmental Services (DES) on September 27, 2011.
2. No more than 13.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,000 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02469                      RICE, THOMAS**  
**BARNSTEAD    Huntress Pond**

Requested Action:

Impact 2,501 sq ft for the purpose of constructing a new, conforming primary structure and installing a new septic system.

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APPROVE PERMIT:

Impact 2,501 sq ft for the purpose of constructing a new, conforming primary structure and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants, dated March 17, 2010 and received by

the Department of Environmental Services ("DES") on September 27, 2011.

2. No more than 14.2% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 2,367 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans titled, "Proposed Conditions Plan" and received by DES must remain in an unaltered state.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

**2011-02472                      CAMP DAVID LLC**  
**SUNAPEE   Sunapee Lake**

**Requested Action:**

Impact 46,120 sq ft for the purpose of constructing a new, conforming primary structure, associated accessory structures, regrading associated with landscaping and installing stormwater controls.

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**APPROVE PERMIT:**

Impact 46,120 sq ft for the purpose of constructing a new, conforming primary structure, associated accessory structures, regrading associated with landscaping and installing stormwater controls.

**With Conditions:**

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc., dated September, 2011 and received by the Department of Environmental Services ("DES") on September 28, 2011.
2. No more than 19.8% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Alteration of Terrain Bureau.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts shall occur to natural ground covers within the waterfront buffer.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 3,804 sq ft of unaltered area between 50 ft and 150 ft of the



reference line, as delineated on plans received by DES must remain in an unaltered state.

9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Silt fencing must be removed once the area is stabilized.

**2011-02473                      GOODWIN, ADAM/KELLY**  
**STRAFFORD   Isinglass River**

**Requested Action:**

Impact 2,688 sq ft for the purpose of installing a new septic sytem as a result of increasing the quantity of bedrooms to an existing residential dwelling.

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**APPROVE PERMIT:**

Impact 2,688 sq ft for the purpose of installing a new septic sytem as a result of increasing the quantity of bedrooms to an existing residential dwelling.

**With Conditions:**

1. All work shall be in accordance with plans by Susan J. Faretra dated August 15, 2011 and received by the Department of Environmental Services ("DES") on September 28, 2011.

2. There shall be no impervious areas constructed on the lot within the protected shoreland unless additional approval is obtained from DES.

3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.

4. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Silt fencing must be removed once the area is stabilized.

**2011-02475                      MEAGHER-MILLS, NANCY**  
**HAMPTON   Meadow Pond**

Requested Action:

Impact 3,100 sq ft for the purpose of replacing a conforming primary structure in-kind.

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APPROVE PERMIT:

Impact 3,100 sq ft for the purpose of replacing a conforming primary structure in-kind.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc., dated November 29, 2011 and received by the Department of Environmental Services ("DES") on September 28, 2011.
2. No more than 27.9% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

**2011-02487                      HENDRICK, JAY**  
**WAKEFIELD   Great East Lake**

Requested Action:

Impact 13,380 sq ft in order to remove two cottages and build a 4 bedroom house with garage and septic system.

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APPROVE PERMIT:

Impact 13,380 sq ft in order to remove two cottages and build a 4 bedroom house with garage and septic system.

With Conditions:

1. All work shall be in accordance with plans by Fox Survey Company dated September 1, 2011 and received by the NH Department of Environmental Services (DES) on September 29, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 22.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 11,016 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02488 VALVE EXEMPT TRUST-FUND C & KHO TRUST**  
**GILFORD Lake Winnepesaukee**

**Requested Action:**

Impact 42,000 sq ft in order to construct a new home with attached garage, barn, retaining wall, pool, patios with associated structures, and remove paved and gravel drives to construct a new pervious driveway.

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**APPROVE PERMIT:**

Impact 42,000 sq ft in order to construct a new home with attached garage, barn, retaining wall, pool, patios with associated structures, and remove paved and gravel drives to construct a new pervious driveway.

**With Conditions:**

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. dated September 22, 2011 and received by the NH Department of Environmental Services (DES) on September 29, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 18.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 7,112 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02502 NORMAND, JAMES**  
**MANCHESTER Merrimack River**

**Requested Action:**

Impact 2,289 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and constructing new accessory structures.

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**APPROVE PERMIT:**

Impact 2,289 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and constructing new accessory

structures.

With Conditions:

1. All work shall be in accordance with plans by Joseph M. Winchert LLC, Inc. dated September 28, 2011 and received by the Department of Environmental Services ("DES") on October 3, 2011.
2. No more than 40.96% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to the Merrimack River and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to install stormwater controls consisting of a two drywells that will be capable of intercepting and infiltrating stormwater from the primary structure.
4. The applicant has proposed to decrease impervious area within the protected shoreland.
5. The applicant has proposed to plant additional native plantings within the waterfront buffer.
6. The applicant has proposed to install stormwater controls, reduce impervious surface coverage within the protected shoreland and enhance the waterfront buffer, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

**2011-02516**                      **LYNN C LANGER REVOCABLE TRUST**  
**MERRIMACK**   **Baboosic Lake**

Requested Action:

Impact 2,539 sq ft for the purpose of constructing a new garage and other associated accessory structures.

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APPROVE PERMIT:

Impact 2,539 sq ft for the purpose of constructing a new garage and other associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Sanford Survey and Engineering dated September 19, 2011 and received by the Department of Environmental Services ("DES") on October 4, 2011.

2. No more than 25.6% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 2,594 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

**2011-02538                      BAKOS, RICHARD**  
**GILMANTON   Sawyer Lake**

**Requested Action:**

Impact 4,756 sq ft in order to construct a shed and stairway leading to a deck and patio toward the reference line to connect to a seasonal dock.

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**APPROVE PERMIT:**

Impact 4,756 sq ft in order to construct a shed and stairway leading to a deck and patio toward the reference line to connect to a seasonal dock.

**With Conditions:**

1. All work shall be in accordance with plans by Richard Bakos dated October 1, 2011 and received by the NH Department of Environmental Services (DES) on October 6, 2011.
2. No more than 6.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,250 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-02542                      WHITEHEAD, TRACY**  
**WOLFEBORO   Lake Wentworth**

Requested Action:

Impact 5,450 sq ft for the purpose of installing a new septic system.

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APPROVE PERMIT:

Impact 5,450 sq ft for the purpose of installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated September 20, 2011, and received by the Department of Environmental Services ("DES") on October 6, 2011.
2. No more than 20.55% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.